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Report by B. Hinkley on his attendance at the annual Convention of the Assoc of Municipalities of Ontario
Aug 21-25/82

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REPORT

TO THE

HAMILTON CITY COUNCIL

BY

ALDERMAN BRIAN HINKLEY

ON HIS ATTENDANCE AT THE

ANNUAL CONVENTION

OF THE

ASSOCIATION OF MUNICIPALITIES OF ONTARIO

HELD ON

AUGUST 21st - 25th, 1982

ROYAL YORK HOTEL

TORONTO, ONTARIO

PREFACE

THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO IS AN UMBRELLA ORGANIZATION REPRESENTING THE OVERWHELMING MAJORITY OF MUNICIPALITIES IN THIS PROVINCE. THE PURPOSE OF THE ORGANIZATION IS TO KEEP ABREAST OF ISSUES AND ACTIVITIES AFFECTING THE WELFARE AND GOOD GOVERNMENT OF THE TOWNS, VILLAGES AND CITIES IN THE PROVINCE.

THE ASSOCIATION SPONSORS SEMINARS DURING THE YEAR ON VARIOUS PERTINENT ISSUES. DURING THE ANNUAL CONFERENCE THE ASSOCIATION WILL RECEIVE AND DEAL WITH MANY RESOLUTIONS THAT HAVE BEEN SUBMITTED BY ITS MEMBER MUNICIPALITIES DURING THE YEAR.

IN ORDER TO CARRY OUT ITS ACTIVITIES, THE MEMBER MUNICIPALITIES CONTRIBUTE A PER CAPITA FEE TO THE ORGANIZATION WHICH HELPS TO PAY FOR ITS VARIOUS ACTIVITIES. THE PROVINCIAL GOVERNMENT ALSO PROVIDES A GRANT TO THE ASSOCIATION. THE ASSOCIATION ELECTS AND APPOINTS ITS BOARD OF DIRECTORS FROM AMONG ITS MEMBERSHIP.

THE MAJOR THRUST OF THE ASSOCIATION IS TO LOBBY AND PRESENT A COLLECTIVE VOICE TO THE PROVINCIAL GOVERNMENT REGARDING THE VARIOUS CONCERNS OF ITS MEMBERSHIP. THE CONFERENCE DEALT WITH A WIDE VARIETY OF ISSUES AND RESOLUTIONS AS WELL AS HOLDING VARIOUS WORKSHOPS ON SELECTED TOPICS. RATHER THAN ATTEMPTING TO PROVIDE A COMPREHENSIVE REPORT ON THE CONFERENCE, I WILL JUST HIGHLIGHT VARIOUS ISSUES THAT APPEARED TO BE THE MOST CONTENTIOUS.

ADDRESS BY THE OUTGOING PRESIDENT OF A.M.O.

CURTIS G. CARTER, MAYOR OF CHATHAM

MAYOR CARTER'S ADDRESS DEALT WITH THE WORK OF THE ASSOCIATION OVER THE PAST YEAR. FOR THE PURPOSE OF BREVITY, I WILL SIMPLY HIGHLIGHT THREE AREAS THAT WERE EMPHASIZED.

1. THE APPARENT UNWILLINGNESS OF THE HONOURABLE FRANK DREA, MINISTER OF COMMUNITY AND SOCIAL SERVICES, TO MEET WITH THE A.M.O. EXECUTIVE.

2. THE NEGATIVE IMPACT THAT THE ONTARIO BUDGET HAS ON THE MUNICIPALITIES ACROSS ONTARIO.

3. ON A POSITIVE NOTE, THE PROVINCIAL GOVERNMENT AND A.M.O. HAVE APPARENTLY DEVELOPED A MUNICIPAL CONSULTATIVE PROCESS WHICH SEEMS TO BE PRODUCING BETTER LINES OF COMMUNICATION (THE MINISTER OF COMMUNITY AND SOCIAL SERVICES APPEARS TO BE THE EXCEPTION, ALTHOUGH THIS MAY BE SHORTLY RECTIFIED.)

TREASURER'S REPORT

WHILE MOST TREASURERS' REPORTS DO NOT SEEM TO PRODUCE MUCH DISCUSSION, ONE RECOMMENDATION OF THE TREASURER SPARKED CONSIDERABLE DEBATE. THE OPERATION OF A.M.O. IS DEPENDENT UPON MEMBERSHIP FEES. IN ORDER TO MAINTAIN THE SAME LEVEL OF SERVICE, A 12% INCREASE IN FEES IS REQUIRED. THE EXECUTIVE, HOWEVER, FELT IN

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THIS TIME OF RESTRAINT THAT A 12% INCREASE WAS UNACCEPTABLE. THE EXECUTIVE DEBATED THIS ISSUE AT SOME LENGTH AND MADE A FINAL RECOMMENDATION TO THE CONFERENCE TO INCREASE THE FEES 6%. DEBATE ON THE FLOOR TOOK PLACE WHEN AN AMENDMENT WAS MOVED THAT NO INCREASE IN FEES TAKE PLACE IN 1983. THE CONFERENCE ACCEPTED THE 6% INCREASE REALIZING THAT THE STAFF COMPLEMENT OF A.M.O. WOULD BE REDUCED BY ONE POSITION.

KEYNOTE ADDRESS

THE KEYNOTE ADDRESS WAS GIVEN BY THE HONOURABLE CLAUDE C. BENNETT, MINISTER OF MUNICIPAL AFFAIRS AND HOUSING. MR. BENNETT COMPLIMENTED A.M.O. FOR ITS WORK OVER THE PAST YEAR. MR. BENNETT ALSO RECAPPED SOME OF THE ACTIVITIES OF HIS MINISTRY OVER THE PAST YEAR. RATHER THAN GOING IN DEPTH ON HIS REMARKS, I WILL JUST LIST SOME OF THE POINTS MR. BENNET MADE.

- THE NEW PLANNING ACT
- THE FIRST READING OF THE CONFLICT OF INTEREST FOR MUNICIPAL COUNCILS
- NEW LICENSING LEGISLATION
- AN ENERGY PLANNING ACT
- THE TRANSPORTATION OF HAZARDOUS GOODS
- ANALYZING MUNICIPAL FINANCING
- EDUCATION AND TRAINING FOR MUNICIPAL STAFF AND COUNCILLORS
- LEGISLATION SETTING OUT A 3-YEAR TERM FOR MUNICIPAL COUNCILLORS
- A WORKING MECHANISM FOR IMPROVED CONSULTATION ON PROVINCIAL-MUNICIPAL MATTERS.

MR. BENNETT OUTLINED AN ADVERTISING PROGRAMME THAT WILL BE IMPLEMENTED BY HIS MINISTRY. THE PROGRAMME WILL BE GEARED TO ENCOURAGING A LARGER VOTER TURN-OUT AT THE MUNICIPAL ELECTIONS THIS FALL. HE ALSO OUTLINED VARIOUS HOUSING INITIATIVES AND IMPROVEMENT PROGRAMMES SUCH AS INNO-RENT AND RENT-REHAB. HE ALSO MENTIONED THAT A HOUSING FORUM WILL BE SPONSORED EARLY NEXT YEAR ENTITLED "THE NEW NEIGHBOURHOOD". MR. BENNETT DROPPED ONE OF THE BIGGEST BOMBSHELLS OF THE CONVENTION WHEN HE INDICATED THAT MUNICIPALITIES CAN EXPECT LITTLE OR NO INCREASES IN MUNICIPAL GRANTS NEXT YEAR. IF THIS PREDICTION HOLDS TRUE, THEN MUNICIPAL COUNCILS WILL BE HARD HIT AGAIN WHEN TRYING TO PROVIDE MUNICIPAL SERVICES TO THE PUBLIC.

GENERAL SESSION - THE NEW PLANNING ACT

A GENERAL SESSION IN THE MAIN CONVENTION FLOOR WAS HELD TO DISCUSS THE IMPLICATIONS OF THE NEW PLANNING ACT. MR. DAVID ROTENBERG, M.L.A. AND PARLIAMENTARY ASSISTANT TO THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING, SPOKE TO THE CONFERENCE REGARDING VARIOUS KEY ASPECTS OF THE NEW PLANNING ACT. AGAIN, FOR PURPOSES OF BREVITY, I WILL SIMPLY LIST SOME OF THE POINTS MR. ROTENBERG MADE:

1. THE ABOLITION OF MOST PLANNING BOARDS
2. THE CREATION OF CITIZEN ADVISORY COMMITTEES WILL BE AT THE DISCRETION OF THE MUNICIPALITY.
3. STRONGER PENALTIES FOR ZONING VIOLATIONS.

4. IN MATTERS WHERE PROVINCIAL INTERESTS ARE INVOLVED, THE ISSUE WILL AUTOMATICALLY BE REFERRED TO THE CABINET FROM THE ONTARIO MUNICIPAL BOARD PROVIDED THAT THE MINISTER HAS DECLARED SUCH INTEREST PRIOR TO THE MATTER GOING TO THE O.M.B.

5. COMMITTEE OF ADJUSTMENTS CAN NOW BE MADE UP OF SOME ELECTED OFFICIALS.

ON THE MATTER OF ZONING VIOLATIONS, THE MUNICIPALITY WILL BE PERMITTED TO SEEK AN INJUNCTION ON A FIRST CONVICTION. MR. ROTENBERG THEN PROCEEDED TO ANSWER VARIOUS QUESTIONS FROM THE DELEGATES AND SUBTLE DIFFERENCES OF INTERPRETATION AND CLARIFICATION WERE PROVIDED. IT WOULD APPEAR THAT THE NEW PLANNING ACT WILL PRODUCE SOME INTERESTING IMPACTS ON ALL PARTIES CONCERNED.

WORKSHOPS

I HAD THE OPPORTUNITY TO ATTEND SOME OF THE WORKSHOPS THAT WERE ARRANGED. THE ARRANGEMENTS OF THE WORKSHOPS WERE SUCH THAT TWO OR THREE WERE BEING CONDUCTED AT THE SAME TIME NECESSITATING A SELECTED CHOICE OF WHICH ONES TO ATTEND.

WORKSHOP ON SOCIAL SERVICES

THE MINISTER OF SOCIAL SERVICES, THE HONOURABLE FRANK DREA,

ALONG WITH HIS DEPUTY, MR. BOB MACDONALD, AND HIS ASSISTANT DOMENIC ALFIERI, WERE PRESENT TO PROVIDE INFORMATION TO THE DELEGATES. THERE WAS ONLY ONE REAL SUBJECT FOR DISCUSSION AND THAT RELATED TO THE INTEGRATION OF FAMILY BENEFITS ASSISTANCE WITH GENERAL WELFARE ASSISTANCE. MANY OF THE CONCERNS EXPRESSED HAVE BEEN DEALT WITH OR WILL BE DEALT WITH BY THE REGIONAL SOCIAL SERVICES COMMITTEE. THESE CONCERNS RELATE TO:

- EXTRA COST TO MUNICIPALITIES
- THE QUESTION OF BETTER OR WORSE SERVICE TO THE CLIENTS
- THE IMPACT ON STAFF
- THE CONCERN OVER THE SUCCESS OF THIS PROGRAMME

THE MINISTER AND HIS STAFF OBVIOUSLY FEEL THE PROGRAMME CAN BE A SUCCESS BUT MANY DELEGATES EXPRESSED SERIOUS CONCERN AND RESERVATIONS.

WORKSHOP ON MUNICIPAL LICENSING

REPRESENTATIVES FROM THE MINISTRY OF MUNICIPAL AFFAIRS & HOUSING WERE ON HAND TO DISCUSS AND ANSWER QUESTIONS REGARDING BILL #11, "AN ACT TO PROVIDE FOR THE LICENSING OF BUSINESSES BY MUNICIPALITIES". THE POINTS THAT WERE MADE ARE AS FOLLOWS:

- LICENSING SHOULD BE A REGULATORY AND NOT A REVENUE-RAISING FUNCTION
- THE NEW ACT WILL PROVIDE FOR HEARINGS WHERE LICENCES ARE BEING REVOKED
- THE USE OF LICENCE FEES IS BEING RESTRICTED TO THOSE FUNCTIONS DIRECTLY RELATED TO LICENSING
- THE ACT WILL SPELL OUT THE COMPOSITION OF A LICENCE COMMITTEE

VARIOUS MATTERS WERE DISCUSSED AND POINTS CLARIFIED REGARDING THE IMPLEMENTATION AND IMPACT ON MUNICIPALITIES. IT WOULD APPEAR THAT OUR LICENSING COMMITTEE IS WELL APPRISED OF THIS ACT AND IS FUNCTIONING EXTREMELY WELL COMPARED TO SOME MUNICIPALITIES.

WORKSHOP ON MUNICIPAL COMPULSORY AND BINDING ARBITRATION

I WAS UNABLE TO ATTEND THE FULL WORKSHOP AS IT CONFLICTED WITH THE MUNICIPAL LICENSING WORKSHOP. HOWEVER, I DID CATCH THE TAIL END OF THE WORKSHOP AND OBVIOUSLY THE DELEGATES WERE EXTREMELY INTERESTED IN THIS QUESTION OF ARBITRATION. MOST OF THE DELEGATES EXPRESSED SERIOUS, IF NOT AT TIMES EMOTIONAL, CONCERN OVER ARBITRATION AWARDS BEING AWARDED TO VARIOUS MUNICIPAL EMPLOYEE UNIONS. AWARDS GIVEN FIREFIGHTERS APPEARED TO COME UNDER THE GREATEST DEGREE OF CRITICISM. ONE OF THE PARTICIPANTS, MR. KENNETH P. SWAN, IS A PROFESSOR AT QUEEN'S UNIVERSITY AND SERVES AS AN ARBITRATOR IN MUNICIPAL DISPUTES. THE EXCHANGE BETWEEN THE DELEGATES AND MR. SWAN PROVIDED FOR INTERESTING POINTS OF VIEW. IT IS APPARENT THAT THIS ISSUE OF ARBITRATING DISPUTES WILL BE DISCUSSED AND DEBATED FOR SOMETIME YET. IT APPEARS OBVIOUS THAT MOST MUNICIPALITIES DO NOT AGREE WITH THE PRESENT ARRANGEMENTS AND ARE SEEKING CHANGES. HOWEVER, THERE APPEARS TO BE A PROBLEM IN SUGGESTING WHAT MIGHT BE A BETTER ALTERNATIVE.

GENERAL SESSION - INTERNATIONAL TRADE

THE HONOURABLE ED LUMLEY, MINISTER OF STATE FOR INTERNATIONAL TRADE, ADDRESSED A GENERAL SESSION OF THE DELEGATES REGARDING

HIS ACTIVITIES AS MINISTER FOR STATE. HE BRIEFLY TALKED ABOUT HIS INVOLVEMENT IN MUNICIPAL POLITICS AND UNDERSTOOD THE PROBLEMS AND FRUSTRATIONS THAT MUNICIPAL LEADERS HAVE TO FACE. HE ALSO TALKED ABOUT THE GOVERNMENT'S ANTI-INFLATION PROGRAMME AND INDICATED THAT THE FEDERAL GOVERNMENT WILL BE STICKING TO A VOLUNTARY PROGRAMME OF RESTRAINT RATHER THAN OPTING FOR A COMPULSORY PROGRAMME. HE EMPHASIZED THE NEED FOR COMMUNITIES TO ENCOURAGE SMALL AND MEDIUM SIZE COMPANIES TO GET INTO INTERNATIONAL TRADE AND EXPORT. HE EXPRESSED STRONGLY THE POTENTIAL BENEFITS TO BE GAINED FOR ALL CANADIANS BY ATTRACTING A GREATER SHARE OF INTERNATIONAL MARKETS. MR. LUMLEY CONTENDS THAT MANY OF OUR ECONOMIC PROBLEMS CAN BE SOLVED IF GREATER EMPHASIS WAS PLACED UPON INTERNATIONAL TRADE. AGAIN, SOME DISCUSSION AND QUESTIONS FROM THE FLOOR WERE ENTERTAINED.

RESOLUTIONS

OVER 150 RESOLUTIONS WERE DEALT WITH DURING THE COURSE OF THE CONFERENCE. FOR THE PURPOSES OF THIS REPORT I WILL JUST HIGHLIGHT A FEW OF THE MOST IMPORTANT RESOLUTIONS.

THE VERY FIRST RESOLUTION DEALT WITH BY THE CONFERENCE WAS ONE SUBMITTED BY THE CITY OF HAMILTON REGARDING THE DEMOLITON OF UNSAFE BUILDINGS THAT COME INTO THE POSSESSION OF THE CITY. THIS RESOLUTION WAS APPROVED.

THE ONTARIO BUDGET

AT LEAST 22 RESOLUTIONS CRITICIZING THE ONTARIO BUDGET WERE RECEIVED BY THE CONFERENCE. HOWEVER, THE CONFERENCE DEBATED A COMPOSITE

RESOLUTION WHICH TOOK INTO CONSIDERATION THE CONCERNS OF THE MUNICIPALITIES.

DOGS RUNNING AT LARGE

ONE OF THE BIGGER DEBATES THAT TOOK PLACE AT THE CONFERENCE DEALT WITH THE LEVEL OF FINE TO BE IMPOSED ON PEOPLE WHO ALLOW THEIR DOGS TO RUN AT LARGE. WHILE THIS MATTER MAY APPEAR TO BE SMALL IN RELATIONSHIP TO MANY OF THE ISSUES AFFECTING ONTARIO MUNICIPALITIES, MANY MUNICIPAL COUNCILLORS KNOW AND RECOGNIZE THE MYRIAD OF COMPLAINTS RECEIVED FROM THEIR CONSTITUENTS REGARDING DOGS. CONSEQUENTLY, THIS ISSUE AND OTHER RELATED MATTERS WILL FOREVER BE A TOPIC OF UNRESOLVED CONCERN.

INTEGRATION OF FAMILY BENEFITS WITH GENERAL WELFARE ASSISTANCE

THIS ISSUE IS ONE OF MAJOR CONCERN TO MUNICIPALITIES AND AGAIN IT WAS OBVIOUS BECAUSE OF THE RESOLUTIONS RECEIVED AND THE DEBATE THAT TOOK PLACE ON THE FLOOR OF THE CONVENTION. VARIOUS RESOLUTIONS ON THIS SUBJECT WERE ENDORSED OR MODIFIED.

RENT CONTROL

THIS IS AN ISSUE WHICH HAS RECEIVED CONSIDERABLE DISCUSSION THROUGHOUT THE PROVINCE OVER THE LAST FEW YEARS. THE QUESTION OF WHETHER RENT CONTROLS SHOULD CONTINUE IN EFFECT OR BE ABOLISHED PROVIDED CONSIDERABLE DEBATE AT THE CONVENTION. IT WAS APPARENT THAT THE CONVENTION WAS DIVIDED ON THE ISSUE AND BOTH POINTS OF VIEW WERE EXPRESSED EXTREMELY WELL. WHEN THE MATTER CAME TO A VOTE, IT WAS NECESSARY TO CONDUCT A STANDING RECORDED VOTE, THE RESULT OF WHICH FAVOURED THE RETENTION OF RENT CONTROLS BY A COUNT OF 106 to 102.

OBVIOUSLY THE NUMBER OF DELEGATES REMAINING AT THAT PARTICULAR TIME WAS VERY FEW AS THIS MATTER WAS DEBATED LATE IN THE AFTERNOON WHEN MOST DELEGATES WERE LEAVING.

THERE, OF COURSE, WERE MANY, MANY OTHER RESOLUTIONS THAT WERE DEALT WITH AND DEBATED BUT IN THE MAIN, THE CONVENTION APPEARED TO BE FAIRLY QUIET WITH ONLY A HANDFUL OF VERY KEY ISSUES. THE MOST IMPORTANT ISSUE THAT WAS DEBATED WAS THE QUESTION OF THE RESTRAINT PROGRAMME BEING IMPLEMENTED BY THE FEDERAL GOVERNMENT AND THE IMPACT IT WILL HAVE ON MUNICIPALITIES. THE EXECUTIVE RECOMMENDATION ON THIS QUESTION OF RESTRAINT WAS PUT TO THE CONVENTION AND DEBATED. THE RESOLUTION THAT WAS ADOPTED READS AS FOLLOWS:

> "WHEREAS MUNICIPAL INITIATIVES TO EXERCISE ECONOMIC RESTRAINT ARE AFFECTED BY THE POLICIES, LEGISLATION AND REGULATIONS OF THE FEDERAL AND PROVINCIAL GOVERNMENTS (AND IN PARTICULAR ARE HIGHLY DEPENDENT UPON COMPLEMENTARY INITIATIVES BY THE GOVERNMENT OF ONTARIO);
>
> AND WHEREAS THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO IS UNAWARE OF THE COURSE OF ACTION, IF ANY, TO BE TAKEN BY THE PROVINCE OF ONTARIO IN THIS RESPECT;
>
> THEREFORE BE IT RESOLVED THAT A.M.O. SUPPORTS A PROGRAM OF FISCAL RESTRAINT WHICH WILL LEAD TO A REDUCTION IN THE RATE OF INFLATION AND THE NEGATIVE EFFECTS OF THE CURRENT ECONOMIC SITUATION ON OUR CITIZENS;

AND FURTHER BE IT RESOLVED THAT A.M.O. IS WILLING TO WORK WITH THE PROVINCE TO DEVELOP A PROGRAM OF EFFECTIVE LEGISLATION THAT WILL ALLOW MUNICIPALITIES TO CONTROL THEIR EXPENDITURES AND THE IMPACT OF INFLATION ON THEIR TAXPAYERS;

AND FURTHER BE IT RESOLVED THAT ANY POLICIES, LEGISLATION OR GUIDELINES IMPLEMENTING ECONOMIC RESTRAINTS APPLY TO BOTH WAGES AND PRICES IN BOTH THE PUBLIC AND PRIVATE SECTORS."

ADDED: "THAT THE A.M.O BOARD OF DIRECTORS MEET IMMEDIATELY WITH THE PROVINCIAL CABINET."

CONCLUSION

THERE CAN BE NO DOUBT THAT WITH ALL THE ISSUES DEBATED AND THE INFORMATION EXCHANGED THAT ONE OVERRIDING CONCERN THAT WAS EXPRESSED IS THE CHALLENGES MUNICIPALITIES ARE CONFRONTED WITH BECAUSE OF FAST DECLINING REVENUES. THE PROVINCIAL GOVERNMENT AND FEDERAL GOVERNMENT'S PROGRAMME OF CUT-BACKS AND RESTRAINT WILL BE MOST SEVERELY FELT BY MUNICIPALITIES. MUNICIPALITIES WILL THEN HAVE TO BEAR MUCH OF THE BRUNT AND POLITICAL FLACK THAT CUT-BACKS IN PROGRAMMES AND SERVICES WILL PRODUCE. IF MUNICIPALITIES DO NOT CUT BACK ON THEIR SPENDING, AND THE FEDERAL AND PROVINCIAL GOVERNMENTS TO NOT SEND TRADITIONAL REVENUES, PROPERTY TAXES WILL HAVE TO BE RAISED. EITHER WAY, MUNICIPALITIES AND MUNICIPAL COUNCILLORS WILL BE CAUGHT BETWEEN

A ROCK AND A HARD PLACE. THE DIFFICULTIES WE FACE IN MANAGING DIMINISHING RESOURCES AND RECEIVING PUBLIC CRITICISM WILL ONLY INCREASE IN THE COMING YEARS UNLESS THE ECONOMY OF THE PROVINCE AND THE COUNTRY TURNS AROUND.

I WOULD LIKE TO TAKE THIS OPPORTUNITY TO EXPRESS MY APPRECIATION TO THE MEMBERS OF CITY COUNCIL FOR RECOMMENDING MY ATTENDANCE AT THE CONFERENCE. THE EXPERIENCE AND EDUCATION GAINED WAS BOTH REWARDING AND WORTHWHILE.

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